

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

FATTE ALBERTS, *a California  
partnership,*

Plaintiff,

v.

PIZZAMAN'S PAVILION and MICHAEL  
JENSEN,

Defendants.

No. 1:20-cv-00238-DAD-SKO

NOTICE REGARDING DEFENDANT  
MICHAEL JENSEN'S EX PARTE  
COMMUNICATION

On November 11, 2020, court staff received an *ex parte* communication from defendant Michael Jensen seeking guidance on various matters including a request for assistance in obtaining counsel on behalf of defendant Pizzaman's Pavilion.<sup>1</sup> The message the court received is copied below:

Hello ,

I am inquiring about policy and/or procedure for an indigent defendant.

My motion to dismiss was denied in the case above and the

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<sup>1</sup> The court again notes that although defendant Pizzaman's Pavilion appears on the docket as representing itself, this entry on the docket is in error. Consistent with federal law, Local Rule 183 provides that "[a] corporation or other entity may appear only by an attorney."

1 federal court states that i [sic] will need to secure an attorney in  
2 order to be heard.

3 As you are aware, we have been in a six month shut down due to  
4 COVID 19, and my business was deemed non-essential in my  
County, and I am about to lose my entire business and cannot afford  
\$30k for an attorney in a court that is nine hours away from me.

5 This is definitely the wrong court but the judge believes it is the  
6 correct venue.

7 Can you please inform me of the procedure i [sic] would have to  
follow without being able to secure legal representation?.

8 Is there legal penalties for being so broke that an attorney is out of  
9 the question?

10 I appreciate your time in this matter.

11 Mike Jensen

12 Email from Michael Jensen to courtroom deputy Jami Thorp (Nov. 11, 2020 10:03 PST).

13 The court cannot provide legal advice to litigants, including litigants proceeding *pro se*.  
14 The court also cannot engage in *ex parte* communications with litigants or their counsel. To the  
15 extent defendant Jensen has need to communicate with the court again by email, he is directed to  
16 copy counsel for the plaintiff on any such communications sent to the court.

17 The court will provide the following sources of information to defendant Jensen; however,  
18 the provision of these links is not to be construed as a recommendation, endorsement, or  
19 requirement by the court:

- 20 • *Representing Yourself (Pro Se Litigant)*, U.S. District Court for the Eastern District of  
21 California, [http://www.caed.uscourts.gov/caednew/index.cfm/cmecf-e-](http://www.caed.uscourts.gov/caednew/index.cfm/cmecf-e-filing/representing-yourself-pro-se-litigant/)  
22 [filing/representing-yourself-pro-se-litigant/](http://www.caed.uscourts.gov/caednew/index.cfm/cmecf-e-filing/representing-yourself-pro-se-litigant/)
- 23 • *Lawyer Referral Services*, The State Bar of California,  
24 <http://www.calbar.ca.gov/Public/Need-Legal-Help/Lawyer-Referral-Service>.

25 IT IS SO ORDERED.

26 Dated: **November 13, 2020**

27   
28 UNITED STATES DISTRICT JUDGE